

AFFIDAVIT OF SAMMANG AM

I, Samming AM, do hereby depose and say under the pains and penalties of perjury that the following statement is true and accurate to the best of my knowledge and belief.

On May 26, 2005 at approximately 6:55 P.M. I was walking on Essex Street in Lynn, Massachusetts heading towards the intersection of Essex Street and Union Street.

As I approached the area close to the intersection of Essex Street and Union Street I heard the sound of a car quickly pulling up behind me. As I heard this sound I was startled and quickly turned around. I actually thought I was going to be struck by the car.

The vehicle stopped no more than two to three feet behind me. As I turned around I observed an unmarked car with two individuals and the driver exiting the

08/15/2008 14:35 FAX 1 978 883 5372

WALTER UNDERHILL

002/003

AFFIDAVIT OF SAMMAN AN

vehicle. I immediately recognized the driver as Sergeant Vail with whom I have had many encounters with over the last seven years.

As I turned around I said the police, "what (expletive) is going on." Sergeant Vail told me to shut up and put my hands on the hood of his cruiser. Before I could comply, Sergeant Vail grabbed me by the back of my shirt and threw me on the hood of the cruiser. At this point his partner was assisting Vail search my person.

At no time did I ever say to anyone at the scene or my ~~partner~~ that I had a gun or that I was "stopped". At no time did I voluntarily walk ~~towards~~ ^{or consent} the police to cooperate with their requests, nor was I ever free to leave. From the time the police pulled up behind me.

AFFIDAVIT OF SAMMAN AM

At no time during my arrest
or transport to the station, was
I advised of my right to
remain silent, right to an attorney,
or that anything I said could and
would be used against me in a
court of law.

This affidavit is (3) three pages long.

Signed: Samy Am
(under penalty and threat of perjury)

Date : 8.9.06

Witness :

[Signature] 8/9/06